IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 21475 of 1994

Between:

1. C.Mohan Reddy, S/o. Venkat Narsa Reddy, working as Stores

Assistant IMFL Depot, Sanath Nagar , Hyderabad.
2 B.veeresham, S/o. B.Jagannatham,Accountant,
IMFL Depot, Adilabad.
3 M.Srinivasa rao, S/o. M.Narasimha Rao,Accountant,
Corporate Office, Hyderabad.
4 T.Ravinder Reddy, S/o. T.Anantha reddy,Working as Stores

Assistant, IMFL Depot, Warangal.
5 Narayan Reddy,

S/o. Buchaiah, Working as Stores Assistant
IMFL Depot, Mahaboobnagar.
6 T.Rama Rao,

S/o. T.Subbaiah, Working as Stores Assistant ,
IMFL Depot, R.R.Dist.
7 T.Pandu,

S/o. Chandraiah, Working as Stores Assistant,
IMFL Depot, Warangal.
8 J.Bhaskar Sharma,

S/o. Laxmi Narsimha Rao, Working as Stores Assistant,
IMFL Depot, Warangal.
9 P.Venkateshwar Reddy,

S/o. Thirupathi Reddy, Working as Stores Assistant,
IMFL Depot, Karimnagar.

10 Ch. Venkat Rao,

S/o. Late Sadha Shiva Rao, Working as Stores Assistant,
IMFL Depot, Karimnagar.
11 A.Suresh , S/o. Sakaram, Working as Stores

Assistant ,IMFL Depot, Wyra,
Khamam Dist.
12 Ch.Ramesh, S/o. Issac, Working as Stores

Assistant, IMFL Depot, R.R.Dist.
13 A.Eshwaraiah, S/o. Late Adivaiah,
Working as Stores Assistant, IMFL Depot, Hyd-I.
14 A.Venkateshwarlu, S/o. A.Chanchaiah,
Stores Assistant, IMFL Depot, Guntur-I.
15 S.Devendra Chary, S/o. S.Rama Beramham (Late),
Accountant, IMFL Depot, Nalgonda Dist.
16 V.Ram Mohan Babu, S/o. Venkateshwarlu,
Stores Assistant, IMFL Depot, Chittoor-I.
17 A.Naga Malleshwar Rao, S/o. Seetha Ramaiah,
Accountant,IMFL Depot, Guntur-I.
18 P.Venkat Rao, S/o. P.Adiyya,
Stores Assistant, IMFL Depot, Nalgonda.
19 S.Siva Prasad, S/o. Ramaiah,
Accountant, IMFL Depot, Machilipatnam.
20 K.Ch. Kesava Rao, S/o. Lingaiah,
Stores Assistant, IMFL Depot, Machilipatnam.
Krishna Dist.
21 Ch.V.Narsimha Rao, S/o. Narayan Rao,
Stores Assistant, IMFL Depot, Chandragiri,
Chittoor -II.
22 T.Rama Krishna Rao, S/o. Late Chiranjeevi Rao,
Stores Assistant, IMFL Depot, Eluru,
W.G.Dist.
23 T.Ramulu, S/o. late Sambaiah,
Stores Assistant, IMFL Depot, Thimmajipet,
Mahaboobnagar Dist.

..... PETITIONERS.

AND

1. The Government of A.P., rep. by it's Secretary,

Revenue (T) Departmetn& Finance&Planning,
Secretariat Buildings, Hyderabad.

2 The Chairman, A.P.Beverages Corporation Ltd.,
Shakkar Bhavan,5-10-174,II &III Floor,NSF Complex, Fathe

Maidan Road, Hyderabad-4.

3 The Managing Director, A.P.Beverages Corporation Ltd.,
Shakkar Bhavan,5-10-174,II &III Floor,NSF Complex, Near

Police Control Room,
Hyderabad-4.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of writ declaring the action of the respondents in not placing the petitioners in pre-revised higher scales of pay of Rs1100-2050 as per the orders issued by the Govt., in G.O.Ms.No. 195 General Administration (PE-I) dt.1.5.1987 and proceedings lr.No. 56/OSD/87-5 DT.12.7.1988 as illegal, arbitrary discriminatory and violative of Art.14 of the Constitution of India and to direct them to place the petitioners in the revised higher scale of Rs.1100-2050 as per PRC 1986 w.e.f. the date of completion of probation period with all consequential benefits.

Counsel for the Petitioners: MR. S.Krishna,
Counsel for the Respondents: GP FOR FINANCE & PLANNING

The Court made the following :

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ORDER:

The writ petition is filed by 23 employees seeking writ of Mandamus directing the respondents to place the petitioners in pre-revised higher scales of pay of Rs.1,100-2050 as per the orders issued by the Government in G.O.Ms.No.195 General Administration (PEI) Department dated 01.5.1987 and Proc.Lr.No.56/OSD/87-5 dated 12.7.1988 as illegal, arbitrary, discriminatory and violative of Article 14 of the Constitution of India.

2. Learned counsel for the petitioners, however, submits that by virtue of interim order passed by this Court at the time of admission of the writ petition, they were granted necessary scales of pay except petitioners 22 and 23. Therefore, it confines the relief to only petitioners 22 and 23.

3. However, the learned counsel for the Beverages Corporation Limited submits that the aforesaid two persons have subsequently filed another Writ Petition No.17176 of 2001 and that was disposed of. In pursuance of the disposal of the said writ petition, the Corporation issued Circular No.A4/91/98/242, dated 05.3.2002 implementing the directions contained in the said order. Under these circumstances, the learned counsel submits that nothing survives in the earlier petition in view of the fact that the petitioners 22 and 23 again filed the writ petition seeking same relief and in pursuance of the order passed in the said writ petition, no further orders are necessary in this writ petition.

4. Accordingly, the writ petition is closed. Further, it is made clear that if the petitioners 22 and 23 are entitled for some more amounts, it is open for them to make appropriate representation to the authorities and the same shall be considered and dispose of in accordance with law.

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G.BIKSHAPATHY,J

Date: 02nd December 2004.

Chvn/BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary,Government of A.P.,

Revenue (T) Departmetn& Finance&Planning,
Secretariat Buildings, Hyderabad.

2 The Chairman, A.P.Beverages Corporation Ltd.,
Shakkar Bhavan,5-10-174,II &III Floor,NSF Complex, Fathe

Maidan Road, Hyderabad-4.

3 The Managing Director, A.P.Beverages Corporation Ltd.,
Shakkar Bhavan,5-10-174,II &III Floor,NSF Complex, Near

Police Control Room,
Hyderabad-4.

4. Two C.Cs. to the G.P. for F&P, High Court of A,.P.,

Hyderabad(OUT)

5. Two C.D.copies.